

JUVENILE DELINQUENCY

AN informal luncheon was held at the Eccleston Hotel, S.W.I., on Thursday, April 23rd, 1942, when an address was given by Mrs. Rackham, J.P., on Juvenile Delinquency, in place of Miss Margery Fry, who had had to leave for America. The Hon. Mrs. Grant Duff was in the chair.

Mrs. Rackham said she would not speak on the subject of heredity because that was the *Society's* subject and not her own. She had been a magistrate for twenty-two years and had learned that heredity played a very important part in the work of the Courts. The controversy as to whether the larger part was played by heredity or by environment was an age-long one, and in the Juvenile Courts there were some people who thought that the evils caused by a bad environment were so obvious, and at the same time so remediable, that they could not be expected to do more than deal with that aspect. They were inclined to occupy themselves with environment about which they knew something rather than with the subject of heredity which was obscure, particularly as it was difficult to know how bad heredity could be remedied.

She thought they must have regard to both, although the idea of the born criminal was now exploded. Cyril Burt said that the number of criminal children who might be said to have "criminal blood in their veins" was trifling. He added, however, that as a result of his investigations into large numbers of criminal children he came to the conclusion that in more than a third of the cases there was some deep constitutional failing which was really the prime cause of their misconduct.

That constitutional failing presented the most obdurate type of delinquent with which Juvenile Courts had to deal; it was the type in which punishment was not of any use; the only hope lay in some kind of palliative treatment. Although such tendencies might be irremediable, they could be recognized, and when recognized, forestalled, and directed into a right channel instead of a

wrong one. Deficiencies could be, to some extent, made up, so child delinquents should not be thought of as helpless victims of inborn characteristics.

Putting these considerations aside there were about 65 per cent of children of whom it might be said that their delinquency was caused either by bad environment or by unhappy events in their lives. The speaker confessed that it was with this 65 per cent that she found herself most familiar.

Child Delinquency To-day

Much was heard about the heavy increase in the numbers of the children coming before the Court and it was inevitable in war-time that there should be an increase. Two things had to be remembered: first, that although the figures might be large, some of the offences which brought children into court were trifling and in more happily placed homes they would not come into court at all; and secondly, that the number of children who came into court was very small compared with those who did not. In a place where juvenile delinquency was high, possibly one child in 80 or 90 might come before the court; in a place where it was low, it might be one in 120.

This did not mean that the work of the Juvenile Courts was not important—it was; the coming into court might be the first step in the child's downward course. Thirteen was the peak age for male delinquents. More came into court at that age than at any other, which showed how important it was to check delinquency at that time. Although the court was a very good instrument for finding out whether the child had or had not committed the offence with which it was charged, she did not think it was very good for finding out very much about the child himself; the court could see the symptom but often could not discover the cause. It was fairly simple to decide, for instance, that a child had taken something from a shop, but the causes might be very varied: the child might be hungry or greedy, the motive

might be jealousy or spite ; it might be a desire to please, or a sort of bravado, other children "dared" it to do something stupid ; obviously all these causes needed different methods of treatment.

Causes of Delinquency

Children became delinquent for most diverse reasons. Sometimes it was because of coming from a very poor home ; but sometimes because of coming from a very indulgent home where the children had never been taught to check their desires. It might be a home which was too strict, or one where no one took any trouble to control the child. The child might be so dull or stupid that it had no idea of the consequences of its actions ; on the other hand, it might be quick-witted and have a desire to show how clever it was. A child in poor health might go wrong because of some physical cause, and so might a child overflowing with health and spirits which did not find within the narrow limits of its home sufficient outlet for its energies.

One of the main causes was the broken home ; one or both parents dead, or the parents separated, or on such bad terms that the home was a continual battleground. The latest figures from an approved school for boys showed that 40 per cent of the boys came from homes of that kind and it was to be feared that much of that kind of trouble, which led to delinquency, was bound to increase during and after the war. The fathers were away (and children were suffering from that now) and a number of marriages would be unable to stand the strain of separation, with the result that unhappy homes or broken marriages would present a crop of juvenile delinquents in years to come.

Juvenile Courts

The speaker now turned to a consideration of the courts themselves. Naturally, the great need was for better and younger magistrates who understood and were interested in the work they had to do. Efforts had been made for some time to get younger magistrates, but these had not been as successful as they should. A report issued by the Probation Officers' Association said that

the average age of the magistrates in some of the courts was over 70, which gave an idea of how very old some of them must be. It would also be better to have more women magistrates.

One of the signs that the magistrates were not keeping up to date was that there had been a tendency to return to the discredited punishment of birching. This method was quick, cheap, and ineffective ; it had been dwindling to very small figures until the last year before the war, but one was sorry to see that it was rising again. It had been found by experienced magistrates that boys who had been punished in this way were nearly always back again in a short time. If there was one thing which a boy valued it was a reputation for pluck amongst his mates, and he would show he did not care about pain of that kind. Cyril Burt said that in 99 cases out of 100 birching made the offender more furtive and defiant—the speaker was quite sure the magistrates would never find the hundredth case. Another authority, Mr. Justice Du Parcq, had said that he had seen many long criminal records which began with the birching of a small boy. The punishment was made illegal in the Children's Bill when it was passing through the House of Commons in 1934, but it was put back by the House of Lords. The Bill was returned to the House of Commons and the provision was again taken out, but the Lords put it back once more. It was thought better to pass the Bill with the penalty of birching included rather than that it should not be passed at all.

Magistrates had other methods of dealing with children ; they could be sent to one of the approved schools of the Home Office, and very useful indeed that method was in some cases. Foster homes where children could be boarded out were badly needed, especially for the younger children. There were children as young as eight years old in approved schools for whom a home life would be far better. Where children were before the court because they were in need of care and protection one felt that at least the first choice should be to see if they would do well in a foster home before going to a school.

The one thing which the children had to learn was to live as members of society, and they could do best by living in an ordinary home. The probation system was valuable precisely because it left a child "in the open," with the chance of leading an ordinary life but under guidance. It was very important that the scope and quality of the probation service should be maintained. It had been very much weakened by the absence of men officers on service and those left must not be overburdened with more cases than they were able to supervise.

Juvenile Court magistrates felt very much the need of provision for border-line children. There were institutions for those certified as mental defectives, but there were a great number of children who, though not certifiable, were unstable or neurotic or extremely dull and backward. Such children were not suited to large approved schools; and there was a great need for special homes to which they could be sent. To plunge them into normal schools might not be fair, and it was difficult to leave them to the probation officer because they might not be fit for the battle of life and the probation officer could not always be at their side. Although such weak, border-line children might do well in a foster home, it was not easy to find foster parents who would undertake their charge. A home on the lines of the hostels for evacuated children unsuitable for billeting would be a useful model for the kind of home needed.

Another great need was more knowledge of the children. Years ago a Departmental Committee urged that there should be observation centres such as exist in some other countries where children could stay for three or four months to be observed under as normal conditions as possible and as a result could be sent back home or boarded out or sent to a school or a smaller home. There had never been observation centres in this country. Many authorities were setting up child guidance clinics which were a great help to the magistrates, who could refer cases to them for diagnosis; but even then it was often difficult to know what to do with the children, because of the lack of special schools or special foster parents.

Social Factors

Mrs. Rackham finally urged that this question of juvenile delinquency must not be separated from the whole subject of child welfare. The number of children before the courts depended on the social system under which the population lived and the background of the children's lives. The "bad" or "broken" home was spoken of as the main cause of children going astray, but that did not take the matter very far. Why was a home "bad" or "broken"? It might very often be due to poverty, overcrowding, bad housing, over-work, or the drunkenness of one of the parents leading to impossible and unbearable conditions of life. All these questions affected the number of children before the juvenile courts more than anything else. Although better magistrates and a larger probation service were needed, yet more than anything else we needed better homes, better schools, better working conditions and better play places where the children could occupy themselves and work off their high spirits in a healthy normal way.

Discussion

Thanking Mrs. Rackham for her talk, Mrs. Grant Duff said she was very glad of the emphasis on the fact that all these questions formed part of a great whole, and until proper living conditions in a sane world were attained they would be continually present.

In answer to a question on the categories into which children's offences fell, Mrs. Rackham said that the great majority were thefts of some kind or other—sometimes in the home, more often from shops or stalls, from automatic machines, from bicycles (pumps, lamps, things left in the baskets attached to bicycles), and then the bicycles themselves or the motor cycles. There were very few cases of any other description. There were some of disorder in the streets, pulling down fences, injuring trees, and so on. There were very few sex offences or of cruelty to younger children or animals.

Miss Stevens, of the Institute for the Scientific Treatment of Delinquency, suggested that teachers in special schools would need psychological training apart from

teaching abilities to understand the delinquent nature. Mrs. Rackham replied that many teachers were trained; the head master might have been a teacher or a worker in boys' clubs, and his wife would often be the matron. Many of the schools were denominational, which limited the choice of teacher. Sometimes the masters had to live in and had, therefore, to be single men, which created another limitation.

Miss Stott, in answer to a question from the Chairman, said that parents were apt to find some difficulty with problem children. Of 54 consecutive cases she had tested for the Institute for the Scientific Treatment of Delinquency 18 were definitely above average intelligence and 24 below; only 12 were of average intelligence, which showed a distribution of intelligence exactly the reverse of that in the population as a whole. In a normal institution one would find approximately 25 of average intelligence and 12 or 13 below.

The Chairman asked if the children were brought back into social life by treatment, and Miss Stevens replied that a great many became perfectly normal. Mrs. Rackham said that the great majority of children did not return to court. The juvenile court could not be blamed for the first appearance, but it might be for the second. There were baffling cases which appeared again and again, where a child seemed to have every advantage and yet continued to commit offences. These were a minority, however. Eight out of ten cases were not seen again, but the two out of the ten were a great problem.

Miss Stott said that even children who appeared to have satisfactory homes might be emotionally starved and psychologically unstable.

Mrs. Rackham said that magistrates were observers of external conditions; they might be told that the father was in work and there was a good home and a good mother, and the magistrates could only think it must be inborn sin causing the child to steal. But one had to try to penetrate further and find out what was wrong, and that was often difficult to do.

Mr. Gun thought that heredity played a small part in the question of morals as compared with ability. Whether people were to be stable or not depended on heredity, but it was also a question of environment. He did not think that heredity played a very great part. There were cases where there seemed to be something wrong and with which nothing could be done. He thought these were comparatively few in number and bad environment was certainly the reason for the vast majority of juvenile delinquency.

Mr. Marindin asked whether evacuation of either parents or children had contributed to the increase in broken homes. Also whether for the smaller offences the appointment of people who would deal with the offences on the spot would not be more effective? During the very short time that a child was at a remand home, was it possible to give sufficient psychological treatment? How far was legal knowledge a necessary qualification of magistrates, or psychological knowledge, or experience in social questions?

Mrs. Rackham replied that magistrates were appointed by the Lord Chancellor. No legal qualifications were necessary. The Lord Chancellor had been making efforts to get younger magistrates; but it was often not until men and women had retired from work that they could attend courts which sat in the morning hours. There was a separate panel for the juvenile courts, and benches were urged to put their younger members, and certainly women, on that panel. The Howard League had always urged that there should be some kind of training for magistrates, but nothing had been done.

With regard to evacuation, she lived in a reception area which had had its full share of evacuated children. Some authorities had made careful investigations into the effects of evacuation and had come to the conclusion that the separation of children from their parents was bad mentally; physically the change might be good. There was often great anxiety as to whether the parents were in danger, and whether they had forgotten their children. Parents very often suffered

from jealousy. How far the figures in evacuation areas were affected she did not know. They had had some problems with evacuated children in her area ; they were serious, but the numbers had not been great.

With regard to the time in the remand home, that ought not to be for long. Remand homes were not suitable places for a long stay ; the children were there because the court was not ready to deal with the case or because the court had not decided what to do, or because the child was waiting for a vacancy in an approved school. To keep children at a remand home for months when they had been committed to a school and knew that the school period would not begin until they actually arrived there was an unhappy position. Something could be done psychologically at the remand home, but the conditions were not suitable. The remand home was a place where the child could be cared for until arrangements were made for it. An observation centre was a place where it could stay for a few months and be watched by skilled people. The two could not be combined.

On the question of smaller offences, much depended on the attitude of the parents. Some such offences might be dealt with by the education authorities. She agreed that

the machinery of the juvenile court was too elaborate for these very small offences.

Mr. Marindin said that one of the main objections to birching was that it took place long after the offence ; if it took place immediately the effects were likely to be less harmful, and might even be beneficial. He also suggested that some of the more trifling offences could be handed to the local headmaster to deal with on the spot, without the intervention of the juvenile court. Mrs. Rackham agreed that it might be less harmful. The time lag was absurd ; the child was supposed to be medically examined to see if it was fit to be birched and the punishment was inflicted by a police officer who was wholly unconnected with the boy or the offence. Corporal punishment at school or at home was another question from punishment at the hands of the court. She thought what Mr. Marindin suggested often happened, but she would not mix it up with the law. The case had to be properly proved before any legal action could be taken.

The Chairman expressed the gratitude of the meeting to Mrs. Rackham for her talk. She also thanked those who had contributed to the discussion and she hoped they could combine in their different branches of life to make a better world for their children and grandchildren.

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